

*Al  
Bentel*

b) a white blood cell component including components corresponding with:

- i. lymphocytes;
- ii. monocytes;
- iii. neutrophils;
- iv. eosinophils; and
- v. basophils;

c) a red blood cell component;

d) a platelet component; and

e) an isotonic suspension medium, wherein each of said components (a)-(d) is present in sufficient amounts to be measurable with an automated hematology instrument employing cell volume conductivity and scatter measurements to yield a readout that corresponds substantially with that of human whole blood.

*29*  
~~34.~~ (NEW) A hematology control composition, comprising:

- a) a reticulocyte component;
- b) a white blood cell component;
- c) a red blood cell component;
- d) a platelet component; and
- e) an isotonic suspension medium, wherein each of said components (a)-(d) is present in sufficient amounts to be measurable with an automated hematology instrument and to yield a readout that corresponds substantially with that of human whole blood.

IC 17004 MAIL ROCK  
SEP 8 2000  
RECEIVED

*Att  
Cancelled*

<sup>30</sup>~~35~~ (NEW) The control composition of claim <sup>29</sup>~~34~~ further comprising a reticulated platelet component.

<sup>31</sup>~~36~~ (NEW) The control composition of claim <sup>30</sup>~~35~~ further comprising a nucleated red blood cell component.

<sup>32</sup>~~37~~ (NEW) The control composition of claim <sup>30</sup>~~35~~ further comprising a source of lipoprotein.

---

#### REMARKS

The Examiner has rejected claims 28-32. Applicant disagrees with the Examiner's rejection. In the interest of expediting prosecution (particularly given the indication of allowable subject matter), however, Applicant has cancelled those claims in favor of prosecuting them in a continuing application.

Applicant has added new claims 33-37, which recite combinations that Applicant believes readily distinguish over the art of record (including the references cited by the Applicant in the Applicant's Information Disclosure Statement mailed June 16, 2000). In view of the subject matter indicated as allowable and the Examiner's characterization of the references (even if taken as accurate for purposes of discussion), the references do not teach or suggest the unique combinations of components recited by Applicant, nor the measurability of the components in an automated hematology instrument as claimed. Accordingly, Applicant believes that the new claims also constitute allowable subject matter, and allowance of the same is respectfully requested.

#### INFORMATION DISCLOSURE STATEMENT

In compliance with 37 C.F.R. §1.56 and for consideration by the Examiner, the Examiner is hereby respectfully advised that the attached reference Negre-Salvayre, A. et al., "Protective Effect of a-Tocopherol, Ascorbic Acid and Rutin against Peroxidative Stress Induced by Oxidized Lipoproteins on Lymphoid Cell Lines," *Biochem. Pharmacol.* 42:450-453 (1991) is being submitted herewith as this reference was unavailable at the time